

Shoreland Rules Summary for Rock Lake (other areas may have different requirements)

Please call your local, county, and state offices before commencing any work within 1,000 feet of any water. **The laws listed below are not comprehensive and may vary according to whether the County, DNR, or local municipality have joint or sole jurisdiction. These laws may also have been updated since the printing of this summary. Please consult the governments below:**

County Zoning Department	City of Lake Mills	Town of Lake Mills	Department of Natural Resources
320 S. Main St., Room 206	200D Water Street	1115 S. Main St.	
Jefferson, WI 53549	Lake Mills, WI 53551	Lake Mills, WI 53551	920-387-7878 or
920-674-7130	920-648-2344	920-648-5584	608-743-4820
www.co.jefferson.wi.us	www.ci.lake-mills.wi.us		www.dnr.state.wi.us

SHORELAND LOT REQUIREMENTS

Lot Dimensions: Varies depending on zoning – consult County, Town, or City.

Shoreland Setback: State, County, City: Setback = 75 feet from ordinary high water mark (OHWM). Boathouses, piers, and boat hoists are exempt from setback but still may require permits.

Shoreland Setback Reduction Rule: County: Permit required for reduced setback. Reduced setback allowed if at least 5 buildings within 500 feet of proposed building site are within the required setback. Reduced setback is the average of setbacks of buildings on each side of proposed building site; or if no building on one side, the setback is average of existing building setback and 75 feet. Minimum setback is 35 feet. Vegetated buffer must be planted. City: Permit required for reduced setback. Reduced setback allowed if at least 1 building on either side of lot, within 200 feet of proposed site, is less than required setback. Minimum setback is the average of setbacks of buildings on each side of proposed building site; or if no building on one side, the setback is average of existing building setback and 75 feet.

Sidyard Setback: Varies depending on zoning – consult County, Town, or City.

ACCESSORY STRUCTURE REQUIREMENTS

Access Ramp: County: Permit required. Only 1 per lot, and not to exceed 8 feet in width or length. Must be located in Viewing and Access Corridor and above OHWM. Only for use by riparian owner. Constructed only using vegetation or vegetated turf block. Designed to not cause erosion and to minimize storm water runoff. Erosion control shall be used during construction. Consult City.

Boathouse Standards: State: Permit required for repair/maintenance, etc. of existing boathouse below OHWM. Boathouses are only for storage of boats and related equipment. Human habitation is prohibited. County: Permit required. Placing a boathouse below OHWM is prohibited. Must be located in Viewing and Access Corridor. Only 1 per lot. Maximum 10 feet tall and ≤400 square feet in size. Roof slope is required. Vegetated buffer must be planted. City: Conditional Use Permit required. Must be 3 feet from OHWM and within the Vision and Access Corridor. Only 1 per lot. Maximum 12 feet tall + 3.5 foot railing height and ≤400 square feet in size. Shoreland vegetation restoration may be required. Relocation of stairs or paths to Vision and Access Corridor may be required. Other structures may be required to be removed or relocated.

Fence Standards:	<u>County</u> : Classified as structures and must be setback 75 feet from OHWM, except for open fences for agricultural practices. <u>City</u> : Not considered a structure, but must adhere to City fencing ordinance.
Open Sided and Screened Structures:	<u>County</u> : Permit required. Minimum setback of 35 feet from OHWM. Total floor area of all structures in shoreland setback area shall not exceed 200 square feet (excluding boathouse). Structure must be ≤10 feet in height and have no sides, open sides, or screened sides. Vegetated buffer must be planted. <u>Consult City</u> .
Patio:	<u>County</u> : Must be setback 75 feet from OHWM. <u>Consult City</u> .
Pier Standards, Swimming Rafts:	<u>State</u> : May require permit or registration depending on dimensions and location. <u>Consult Town or City</u> .
Retaining Walls:	<u>County</u> : Setback 75 feet from OHWM except if Zoning Administrator determines that it is necessary for erosion control. If for erosion control, permit is required. <u>Consult City</u> .
Stairway/Walkway/ Lift Standards:	<u>State, County, City</u> : Any path or road within 35 feet from water shall be constructed and surfaced to effectively control erosion. <u>County</u> : Permit required. Maximum 4 feet wide stairs, landings must be ≤40 square feet with no more than 1 landing every 10 feet of elevation change. Only 1 stairway or walkway allowed except a lift may be allowed as a 2 nd access adjacent to stairway or walkway. <u>Consult City</u> .

PRESERVATION OF SHORE COVER REQUIREMENTS

Shoreland Buffer:	<u>County</u> : A 35 foot strip of vegetation running parallel to OHWM and extending inland from the OHWM. Dead and diseased trees and shrubs, and noxious and invasive trees, shrubs, and plants may be removed and must be replaced with native vegetation or cultivars of natives within 30 days of removal. Routine pruning is allowed, but excessive pruning that jeopardizes the health of trees or shrubs is prohibited. Landscaping and lawns that extend into the shoreland buffer area prior to March 2005 may be maintained until restoration is required. Existing lawns and landscaping can not be extended into the buffer area. <u>City</u> : Strip paralleling shoreline and extending 35 feet inland from OHWM. No more than 30 feet in any 100 feet along the OHWM shall be clear cut to the depth of 35 feet. Not applicable to removal of dead, diseased or dying trees or shrubs. Shrubs shall be preserved as far as practicable and, where removed, shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and preserving natural beauty.
Viewing and Access Corridor:	<u>County</u> : A vegetated strip of land extending through the shoreland buffer that provides access to the water and a filtered view of the water. Not to exceed 30 feet wide for lots ≥100 feet in width. Not to exceed 30% of the lot width for lots <100 feet in width. Not designated in an area where 75% or more of the trees and shrubs exist within the shoreland buffer. Selective cutting allowed – removal of selected trees and shrubs throughout the range of sizes at regular intervals, either singularly or in small groups, but not to exceed 75% of existing trees and shrubs, leaving uniform distribution of trees and shrubs. <u>City</u> : 30 feet wide if lot is ≥100 feet in width; 30% of lot width if lot is <100 feet in width.

Greater Cutting:	<u>County</u> : Greater cutting than detailed above may be permitted through a Conditional Use Permit and a Zoning Permit. Submission of a Special Cutting and Restoration Plan that follow technical standards is required. <u>City</u> : Conditional Use Permit required for greater cutting than described above. Permit may be granted only if plan: (1) will not cause undue erosion or destruction of scenic beauty, and (2) will provide substantial shielding from the water of dwellings, accessory structures and parking areas.
Cutting More Than 35 Feet Inland:	<u>County</u> : Cutting of trees and shrubs from the inland edge of the 35 feet strip to the outer limits of the shoreland is allowed when done using accepted forest management practices and sound soil conservation practices which protect water quality. <u>City</u> : Cutting of trees and shrubs shall be allowed when accomplished using accepted forest management practices and sound soil conservation practices which protect water quality.
Required Restorations:	<u>County</u> : Restoration of a shoreland buffer of 35 feet from the OHWM, excluding the viewing and access corridor, is required for the following: 1. Zoning permit for land disturbance within 75 feet from the OHWM. 2. Zoning permit for setback averaging of a new structure or addition to existing structure. 3. Zoning permit for repairs, alterations, or additions to an existing structure that is closer than 75 feet from the OHWM if the total lifetime repairs, alterations, or additions exceed 50% of the equalized assessed value of structure. A variance would be necessary to exceed 50%. 4. Zoning permit for the construction of a new boathouse. When buffers are required, existing non-conforming accessory structures that do not comply with the ordinance, excluding existing boathouses, must be removed as part of shoreland buffer restoration. The restoration must follow technical standards and a restoration plan must be submitted. <u>Consult City</u> .

DISTURBANCE ON LAND ABOVE AND BELOW HIGH WATER MARK

Land Disturbance Above OHWM:	<u>State</u> : DNR permit required for grading or removal of topsoil of $\geq 10,000$ square feet. <u>County</u> : Permit required if grading within 500 feet of ordinary high water mark sloping to water if (1) slope is $\geq 20\%$, (2) $> 1,000$ square feet on 12-20% slope, (3) $> 2,000$ square feet on $< 12\%$ slope, or (4) > 250 square feet within shoreland buffer. Vegetated buffer must be planted. <u>City</u> : Permit required if filling or grading within 300 feet of OHWM sloping to water and where single area of more than 100 square feet is exposed or where cumulative exposed area exceeds 300 square feet, or if number 1, 2, or 3 from County requirements occurs.
Disturbance Below OHWM:	<u>State and City</u> : DNR and City permits required for removal, filling, or grading of material from below the ordinary high water mark or the bed of the lake. This includes rock riprap or similar material.

NONCONFORMING STRUCTURE STANDARDS

Principle Structure:	<u>State, County, City</u> : Nonconforming structures shall not be extended, enlarged, reconstructed, moved or structurally altered (includes maintenance, additions) in excess of 50% (includes all cumulative projects) of its current fair market value.
Accessory Structure:	<u>State, County, City</u> : A nonconforming structure shall not be extended, enlarged, reconstructed, moved or structurally altered in excess of 50% of its current fair market value.

WETLANDS

Wetland Protection: Filling, draining, excavating, dredging, and lagooning of wetlands is prohibited except for wetland enhancement projects. Consult Corps of Engineers (262-547-1876), DNR, County, and City for requirements.

MISCELLANEOUS

Floodplain: Floodplain properties are subject to additional Federal, State, and County regulations. Please contact County and City for more information.

Waterfowl: Consult Town regarding feeding prohibitions. City: No person may feed anything to any wild waterfowl in or adjacent to Lakeside Park, Tyrannena Park, or Sandy Beach Park, including the Sandy Beach Mobile Home Park areas and sports complex.

Yard Waste: Consult Town regarding the rules for burning and disposal. City: Burning for the purpose of eliminating waste is prohibited.